

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

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	:	
In re	:	Chapter 11
	:	
KABBAGE, INC. d/b/a KSERVICING, et al.,	:	Case No. 22-10951 (CTG)
	:	
Debtors.¹	:	(Jointly Administered)
	:	
	:	RE: D.I. 608
	X	

**CERTIFICATION OF COUNSEL REGARDING ORDER REGARDING
MOTION FOR AN ORDER PURSUANT TO BANKRUPTCY RULE 2004
DIRECTING PRODUCTION OF DOCUMENTS AND MATERIALS AND
APPEARANCE FOR ORAL EXAMINATION**

The undersigned hereby certifies as follows:

1. On March 6, 2023, Customers Bank (“CB”) filed the *Motion for an Order Pursuant to Bankruptcy Rule 2004 Directing Production of Documents and Materials and Appearance for Oral Examination* [Docket No. 608] (the “**2004 Motion**”)² with the United States Bankruptcy Court for the District of Delaware (the “**Court**”).

2. Following the filing of the 2004 Motion, the Debtors and CB engaged in discussions regarding the relief requested therein. As a result of those discussions, the Debtors and CB have agreed to entry of the proposed order attached hereto as **Exhibit 1** (the “**Proposed Order**”) resolving the 2004 Motion. The Proposed Order has been circulated to counsel to CB, and CB does not object to entry of the Proposed Order.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable are: Kabbage, Inc. d/b/a KServicing (3937); Kabbage Canada Holdings, LLC (N/A); Kabbage Asset Securitization LLC (N/A); Kabbage Asset Funding 2017-A LLC (4803); Kabbage Asset Funding 2019-A LLC (8973); and Kabbage Diameter, LLC (N/A). Kabbage is a trademark of American Express used under license; Kabbage, Inc. d/b/a KServicing is not affiliated with American Express. The Debtors’ mailing and service address is 925B Peachtree Street NE, Suite 383, Atlanta, GA 30309.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the 2004 Motion.

WHEREFORE, the Debtors respectfully request that the Court enter the Proposed Order at its earliest convenience.

Dated: March 28, 2023
Wilmington, Delaware

/s/ Matthew P. Milana

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